

Presented to the Court by the foreman of the
Grand Jury in open Court, in the presence of
the Grand Jury and FILED in the U.S.
DISTRICT COURT at Seattle, Washington.

January 25, 2023
By Ravi Subramanian, Clerk
Deputy

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,
Plaintiff,

v.

FATIU ISMAILA LAWAL and
SAKIRU OLANREWAJU AMBALI,
Defendants.

NO. **CR23-5034 RTB**
INDICTMENT

The Grand Jury charges that:

COUNT 1

(Conspiracy to Commit Wire Fraud)

A. Overview

1. These charges involve the participation of FATIU ISMAILA LAWAL and SAKIRU OLANREWAJU AMBALI, together and with those known and unknown to the Grand Jury, in a conspiracy to use stolen identities of American workers and taxpayers to fraudulently obtain United States government funds, including COVID-19 pandemic unemployment benefits, pandemic assistance for small businesses, and federal tax refunds. In connection with the conspiracy, LAWAL, AMBALI, and their co-

1 conspirators possessed and used the stolen personal identifying information of over
2 14,700 American workers and taxpayers.

3 2. Specifically, LAWAL and AMBALI, both Nigerian nationals and Canadian
4 residents, and their co-conspirators used these stolen identities to submit over 1,700
5 claims for COVID-19 pandemic-related unemployment benefits to over 25 state
6 workforce agencies and over 2,300 fraudulent tax returns to the Internal Revenue Service.
7 LAWAL, AMBALI, and their co-conspirators also used stolen personal identifying
8 information of Americans to seek pandemic assistance from the United States Small
9 Business Administration. In so doing, LAWAL and AMBALI, together and with their
10 co-conspirators, caused, and attempted to cause, state and federal agencies to pay out
11 approximately \$25 million in American government funds. They successfully obtained
12 over \$2.4 million, primarily from COVID-19 pandemic unemployment benefits. This
13 included approximately \$253,000 paid by the Washington Employment Security
14 Department.

15 **B. Relevant Programs**

16 3. **CARES Act and COVID-19 Unemployment Benefits.** On March 27,
17 2020, the United States enacted into law the Coronavirus Aid, Relief, and Economic
18 Security (CARES) Act. The CARES Act authorized approximately \$2 trillion in aid to
19 American workers, families, and businesses to mitigate the economic consequences of
20 the COVID-19 pandemic. The CARES Act funded and authorized each state to
21 administer new unemployment benefits. These benefits included: (1) Federal Pandemic
22 Unemployment Compensation, which provided a benefit of \$600 per week per
23 unemployed worker in addition to existing benefits; (2) Pandemic Unemployment
24 Assistance, which extended benefits to self-employed persons, independent contractors,
25 and others; and (3) Pandemic Emergency Unemployment Assistance, which extended
26 benefits for an additional 13 weeks after regular unemployment benefits were exhausted.
27

1 4. CARES Act unemployment benefits were funded by the United States
2 government through the Department of Labor and administered at the state level by state
3 agencies known as state workforce agencies (SWAs). The Washington Employment
4 Security Department (ESD) is the SWA for the State of Washington.

5 5. CARES Act unemployment benefits were authorized, transferred, disbursed
6 and paid in connection with a nationwide emergency declared by Presidential
7 Proclamation 9994 (effective as of March 1, 2020) and a Presidential declaration of a
8 major disaster for the State of Washington concerning the COVID-19 pandemic that was
9 issued on March 22, 2020. On August 8, 2020, to further assist American workers
10 suffering from the economic impacts of the COVID-19 pandemic, the President
11 authorized the Federal Emergency Management Agency to expend up to \$44 billion from
12 disaster relief funds for the Lost Wage Assistance Program (LWAP) to provide an
13 additional \$300 per week to workers who were unemployed because of COVID-19.

14 6. SWAs allow applicants to apply online for state-administered
15 unemployment benefits. For example, in Washington, applicants can apply online for
16 ESD-administered benefits by visiting ESD's Unemployment Tax and Benefit (UTAB)
17 system via an online portal called eServices. To access eServices, the applicant must first
18 set up an account with the state's SecureAccess Washington (SAW) web-based identity
19 validation system.

20 7. **COVID-19 Economic Injury Disaster Loans.** The CARES Act also
21 authorized the United States Small Business Administration (SBA) to provide assistance
22 through the Economic Injury Disaster Loan (EIDL) program. The EIDL program
23 provides low-interest financing to small businesses and non-profit organizations in
24 regions affected by declared disasters. EIDL funds can be used for payroll expenses, sick
25 leave, production costs, and business obligations, such as debts, rent, and mortgage
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1 payments. The CARES Act authorized eligible small businesses experiencing substantial
2 financial disruption due to the COVID-19 pandemic to receive EIDLs of up to \$2 million.

3 8. A qualifying business applying for an EIDL must submit an application to
4 the SBA and provide information about its operations, such as the number of employees,
5 gross revenues for the 12-month period preceding the disaster, and cost of goods sold in
6 the 12-month period preceding the disaster. The applicant must also certify that all of the
7 information in the application is true and correct to the best of the applicant's knowledge.
8 SBA directly disburses funds issued under an EIDL to an account identified by the
9 applicant.

10 9. **Tax Refunds.** The Internal Revenue Service is an agency of the United
11 States Department of Treasury and is responsible for administering the tax laws of the
12 United States. An individual who is a citizen or resident of the United States and earned
13 income during a calendar year in excess of a threshold amount is obligated to file an
14 individual tax return with the IRS for that calendar year. If the taxpayer paid more in
15 taxes (for example through employer withholdings or quarterly payments) than was due
16 for a given year, the taxpayer may request that a refund be paid by electronic wire
17 transfer to a bank account designated by the taxpayer. The IRS relies in part on the
18 taxpayer's tax return to determine whether a refund is due.

19 **C. Use of Interstate Wires.**

20 10. The processes for applying for and receiving the government payments
21 discussed above involve the use of interstate wire transmissions. For example,
22 applications for ESD-administered unemployment benefits involve at least the following
23 three types of interstate or foreign wire transmissions: when the SAW system sends an
24 activation email to an email server outside the State of Washington, when a user accesses
25 UTAB on eServices from outside the State of Washington, and when ESD initiates a
26 benefit payment.
27

1 11. **SAW.** The SAW website is hosted at the State Data Center in Olympia,
2 Washington. To establish a SAW account, an applicant must provide the SAW system
3 with an email address. The SAW system then sends an activation link to the designated
4 email account by wire transmission originating in Olympia, Washington. The user must
5 click on the link to activate his or her SAW account. When the user uses an email server
6 outside the State of Washington, the SAW system uses an interstate wire each time it
7 sends an activation email.

8 12. **eServices.** After activating the SAW account, the user may use the SAW
9 account to access ESD's UTAB application system through eServices. The eServices
10 website is also hosted at the State Data Center in Olympia, Washington. To file a claim
11 through eServices, the applicant enters his or her personal identifying information (PII),
12 to include name, date of birth, and Social Security number. When the applicant accesses
13 or submits the application through eServices from outside the State of Washington, his or
14 her electronic device sends an interstate wire transmission terminating at the State Data
15 Center in Olympia, Washington.

16 13. **Payment.** In UTAB, the applicant may designate a bank or financial
17 account to receive the unemployment benefits, and ESD pays these benefits via wire
18 (ACH) transfer. When ESD disburses unemployment benefits, ESD sends an interstate
19 wire communication from Olympia, Washington, to a KeyBank processing center,
20 directing KeyBank to make the benefit payment. KeyBank does not have any processing
21 centers within Washington State. Therefore, every ESD benefits payment results in an
22 interstate wire communication that originates in Washington and travels to another state.

23 **D. The Conspiracy**

24 14. Beginning at a time unknown but no later than on or about February 2,
25 2018, and continuing through at least on or about November 11, 2022, at Olympia, in
26 Thurston County, within the Western District of Washington, and elsewhere, FATIU
27

1 ISMAILA LAWAL and SAKIRU OLANREWAJU AMBALI, together with others
2 known and unknown to the Grand Jury, did conspire, confederate and agree, together and
3 with each other, to commit the offense of wire fraud in violation of Title 18, United
4 States Code, Section 1343. That is, FATIU ISMAILA LAWAL and SAKIRU
5 OLANREWAJU AMBALI, together with others known and unknown, with intent to
6 defraud, agreed to knowingly devise a scheme and artifice to defraud, and to obtain
7 money and property, by means of materially false and fraudulent pretenses,
8 representations, and promises. To execute and attempt to execute the scheme and artifice
9 to defraud, FATIU ISMAILA LAWAL and SAKIRU OLANREWAJU AMBALI,
10 together with others known and unknown, knowingly transmitted, and caused to be
11 transmitted by wire communication in interstate and foreign commerce, writings, signs,
12 signals, pictures and sounds.

13 15. The object of the conspiracy was to use stolen identities of American
14 workers, residents, and taxpayers to fraudulently obtain United States government funds,
15 including COVID-19 pandemic unemployment benefits, pandemic assistance for small
16 businesses, and tax refunds.

17 16. The wire fraud that was the object of this conspiracy occurred in relation to,
18 and involved, benefit payments authorized, transmitted, transferred, disbursed, and paid
19 in connection with the presidentially-declared major disaster and emergency described in
20 Paragraph 5 of this Indictment.

21 **E. Manner and Means**

22 The following conduct was part of the conspiracy:

23 17. **Use of Stolen Personal Identifying Information.** LAWAL, AMBALI,
24 and their co-conspirators unlawfully obtained, possessed, and shared with one another the
25 names, dates of birth, Social Security numbers, and other PII of American workers and
26 taxpayers, including residents of the State of Washington.

1 18. LAWAL, AMBALI, and their co-conspirators used Telegram and other
2 encrypted messaging services to instruct one another how to obtain and use stolen PII to
3 fraudulently obtain United States government funds. Telegram is an encrypted, cloud-
4 based, centralized instant messaging system that is accessible from electronic devices
5 such as smartphones, tablets, and computers. Telegram uses a “distributed infrastructure”
6 to deliberately evade disclosure of data to third parties, including governments. Its
7 features include a channel function that allows an administrator to post to a public or
8 private feed that broadcasts to an unlimited number of subscribers.

9 19. LAWAL, AMBALI, and their co-conspirators used at least one Telegram
10 channel that instructed its subscribers how to: purchase stolen PII from the channel
11 administrator or use tools that scrape the internet for PII; submit fraudulent
12 unemployment benefit claims to various SWAs across the nation, including ESD; and
13 mask IP addresses to evade detection. The channel also provided tutorials on how to use
14 stolen PII to defraud other COVID-19 benefit programs such as the SBA’s EIDL
15 program and the Treasury’s Emergency Rental Assistance Program.

16 20. **Use of Deceptive Email Accounts.** LAWAL, AMBALI, and their co-
17 conspirators created and maintained over a dozen email accounts for the purpose of
18 participating in fraudulent transactions while obscuring their identities. LAWAL,
19 AMBALI, and their co-conspirators primarily used accounts administered by Google
20 LLC, with domain names ending in gmail.com and googlemail.com, and email addresses
21 linked to private domains administered by Namecheap, a domain name registrar and web
22 hosting company.

23 21. LAWAL, AMBALI, and their co-conspirators, using foreign and interstate
24 wire transmissions, accessed ESD’s SAW portal and eServices, as well as similar portals
25 of SWAs for at least 25 other states, including New York, Maryland, Michigan, Nevada,
26 and California. Each time LAWAL, AMBALI, or a co-conspirator accessed the
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1 Washington SAW portal and eServices, he or she caused wire transmissions terminating
2 and originating at the State Data Center in Olympia, Washington.

3 22. To establish SAW accounts, LAWAL, AMBALI, and their co-conspirators
4 provided email addresses to ESD to receive activation emails. Each time LAWAL,
5 AMBALI, or a co-conspirator input an email address into the SAW system, an activation
6 email was sent to the email account. Each of these emails was sent via an interstate wire
7 transmission originating from the State Data Center in Olympia, Washington and passing
8 through either a Google or Namecheap data center outside the State of Washington.

9 23. To prevent ESD and other SWAs from recognizing that the same email
10 account or user was filing file multiple claims, LAWAL, AMBALI, and their co-
11 conspirators used hundreds of variants of each email address.

12 24. For the Google accounts, LAWAL, AMBALI, and their co-conspirators
13 placed periods at different locations within the email address for each claim. For
14 example, LAWAL, AMBALI, and their co-conspirators opened SAW accounts and
15 submitted claims using the variants "G.A.M.E.W.O.R.K393@GMAIL.COM,"
16 "G.A.M.E.WO.RK393@GMAIL.COM," and "G.AMEWORK3.93@GMAIL.COM." In
17 routing emails to a gmail.com or googlemail.com account, Google disregards periods
18 within the email address (e.g., "john.doe@gmail.com" is routed to the same account as
19 "johndoe@gmail.com"). As a result, Google delivered all of these emails (and any
20 similar "dot variants" of the same address) to the gamework393@gmail.com account.

21 25. By using these email address variants, LAWAL, AMBALI, and their co-
22 conspirators were able to file hundreds of claims using the same email account, without
23 ESD and other SWAs detecting that they were doing so. LAWAL, AMBALI, and their
24 co-conspirators used the following 13 Google accounts, and others, and their dot variants,
25 to file over 900 COVID-19 pandemic unemployment benefits:
26 gamework393@gmail.com, bankupdates2014@gmail.com, js755642@gmail.com,
27

1 | vac22334@gmail.com, onlinefacebookprogs2016@gmail.com,
2 | seritdavis@googlemail.com, js8979767@gmail.com, tailorjames23@gmail.com,
3 | nwork654@gmail.com, billyjeanolowo@gmail.com, harveynaomi0@gmail.com,
4 | kimphillips059@gmail.com, and nationarmstrong@gmail.com.

5 | 26. Beginning in approximately December 2020, LAWAL became the
6 | registered owner of at least four internet domain names used to fraudulently obtain
7 | American government funds. LAWAL, AMBALI, and their co-conspirators created a
8 | single email mailbox for each domain through a private email service provided by
9 | Namecheap, which also hosted each domain. The private email service has features that
10 | allow users to funnel an unlimited number of email addresses associated with a registered
11 | domain to a single inbox for that domain. For example, k@sensormargin.com,
12 | h@sensormargin.com, and r@sensormargin.com were among the hundreds of
13 | sensormargin.com emails LAWAL, AMBALI, and their co-conspirators used to file
14 | COVID-19 unemployment claims with SWAs across the nation. But because LAWAL
15 | created a single mailbox for the domain sensormargin.com, all of the emails associated
16 | with the domain were delivered to a single inbox.

17 | 27. Using these private email service features, LAWAL, AMBALI, and their
18 | co-conspirators used approximately 800 different email addresses associated with one of
19 | four domain names—sensormargin.com, minderpower.com, redfoxdna.com, or
20 | unitedgsat.com—to submit fraudulent claims to SWAs. Each email address appeared
21 | unique to the SWA but was ultimately routed to the single inbox for each domain.

22 | 28. **Other Fraudulent Submissions.** LAWAL, AMBALI, and their co-
23 | conspirators, used stolen personal identifying information of American residents and
24 | some of the same email accounts and domains described in Paragraphs 24-27, and others
25 | to seek EIDL proceeds and other assistance from SBA that were intended to assist small
26 | businesses suffering during the COVID-19 pandemic.

29. Between on or about February 2, 2018, and November 11, 2022, LAWAL, AMBALI, and their co-conspirators, using some of the same and additional email accounts and domain names described in Paragraphs 24-27, used the stolen identities of American taxpayers to electronically file over 2,300 fraudulent tax returns without the taxpayers' knowledge. The fraudulent tax returns falsely claimed tax refunds and requested that those refunds be deposited to accounts under the control of the defendants or their co-conspirators. In total, LAWAL, AMBALI, and their co-conspirators sought over \$7.1 million in tax refunds and obtained approximately \$30,000.

30. **Dissipation of Proceeds.** When completing the applications for pandemic unemployment benefits, LAWAL, AMBALI, and their co-conspirators directed some of the benefits be paid to online payment accounts, including accounts administered by MovoCash, Inc. LAWAL, AMBALI, and their co-conspirators also directed fraudulent benefits to be loaded onto debit cards issued by banks and mailed to addresses in the United States or deposited into bank accounts controlled by persons known as "money mules," who withdrew and transferred the funds according to instructions given by LAWAL, AMBALI, and their co-conspirators.

31. LAWAL, AMBALI, and their co-conspirators also used stolen identities to open bank accounts specifically for the purpose of receiving fraudulent COVID-19 benefits. For example, LAWAL, AMBALI, and their conspirators directed benefits from at least 10 claims submitted to Washington and other SWAs to a common bank account. These 10 claims used dot variant email addresses of four different Google accounts. The bank account was opened online on or about March 31, 2020, using the stolen identity of F.B, and received deposits exclusively from Washington and New York SWAs that were withdrawn through ATMs and postal money orders, before the bank closed the account on or about June 11, 2020, due to suspicious activities.

All in violation of Title 18, United States Code, Section 1349.

COUNTS 2-11**(Wire Fraud)**

32. The Grand Jury incorporates by reference Paragraphs 1-31 of this Indictment as if fully set forth herein.

33. Beginning at a time unknown, but no later than on or about February 2, 2018, and continuing through at least on or about November 11, 2022, at Olympia, in Thurston County, within the Western District of Washington, and elsewhere, FATIU ISMAILA LAWAL, SAKIRU OLANREWAJU AMBALI, and others known and unknown, with intent to defraud, knowingly devised a scheme and artifice to defraud, and to obtain money and property, by means of materially false and fraudulent pretenses, representations, and promises, as further described below.

34. The essence of the scheme and artifice to defraud was to use stolen identities of American workers and taxpayers to fraudulently obtain United States government funds, including COVID-19 pandemic unemployment benefits from state workforce agencies, assistance for small businesses from the United States Small Business Administration, and tax refunds from the United States Department of Treasury. The scheme and artifice to defraud occurred in relation to, and involved, benefit payments authorized, transmitted, transferred, disbursed, and paid in connection with a presidentially-declared major disaster and emergency.

35. On or about the dates set forth below, for the purpose of executing and attempting to execute this scheme and artifice to defraud, FATIU ISMAILA LAWAL, SAKIRU OLANREWAJU AMBALI, and others known and unknown to the Grand Jury, aiding and abetting each other, did knowingly transmit and cause to be transmitted, by wire communication in interstate and foreign commerce, writings, signs, signals, pictures and sounds, each transmission of which constitutes a separate count of this Indictment. Each of the following offenses was committed in furtherance of, and was a foreseeable part of, the conspiracy charged in Count 1 of this Indictment.

Count	Approximate Date	Applicant Initials	Wire Transmission
2	May 2, 2020	R.R.	SecureAccess Washington account activation email from State Data Center in Olympia, Washington to vac.2.2334@gmail.com via a Google server outside of Washington
3	May 7, 2020	C.A.	Wire from outside Washington to State Data Center in Olympia, Washington to submit an application via eServices for ESD benefits using the email address g.a.mewor.k.3.9.3@gmail.com
4	May 8, 2020	S.C.	SecureAccess Washington account activation email from the State Data Center in Olympia, Washington to v.a.c.2.23.34@gmail.com via a Google server outside of Washington
5	May 8, 2020	R.L.	Wire from outside Washington to State Data Center in Olympia, Washington to submit an application via eServices for ESD benefits using the email address o.n.l.i.nef.a.c.e.bookprogs2016@gmail.com
6	May 12, 2020	B.E.	Wire from Washington to another state to initiate ACH transfer of approximately \$8,530 in ESD benefits
7	May 13, 2020	B.E.	Wire from Washington to another state to initiate ACH transfer of approximately \$1,390 in ESD benefits
8	May 13, 2020	T.G.	Wire from Washington to another state to initiate ACH transfer of approximately \$1,580 in ESD benefits
9	May 14, 2020	P.S.	Wire from outside Washington to State Data Center in Olympia, Washington to submit an application via eServices for ESD benefits using the email address o.nlinef.aceb.ookprogs2016@gmail.com

1				Wire from outside Washington to State Data
2				Center in Olympia, Washington to submit an
3	10	May 17, 2020	L.S	application via eServices for ESD benefits
4				using the email address
5				o.n.l.i.n.e.face.b.ookprogs2016@gmail.com
6				Wire from outside Washington to State Data
7				Center in Olympia, Washington to submit an
8	11	August 6, 2021	D.B.	application via eServices for ESD benefits
9				using the email address
10				berry9360@minderpower.com

All in violation of Title 18, United States Code, Sections 1343 and 2.

COUNTS 12-17

(Aggravated Identity Theft)

36. The Grand Jury incorporates by reference Paragraphs 1-35 of this Indictment as if fully set forth herein.

37. On or about the dates set forth below, at Olympia, in Thurston County, within the Western District of Washington, and elsewhere, FATIU ISMAILA LAWAL and SAKIRU OLANREWAJU AMBALI, knowingly transferred, possessed, and used, without lawful authority, means of identification of other persons, and did aid and abet the same, in that FATIU ISMAILA LAWAL and SAKIRU OLANREWAJU AMBALI submitted claims to the Washington Employment Security Department using the names, dates of birth, and Social Security numbers, of the persons with the initials listed below, during and in relation to felonies listed in Title 18, United States Code, Section 1028A(c), to wit, conspiracy to commit wire fraud in violation of Title 18, United States Code, Section 1349, and wire fraud in violation of Title 18, United States Code, Section 1343. Each of the following offenses was committed in furtherance of, and was a foreseeable part of, the conspiracy charged in Count 1 of this Indictment.

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Count	Date	Initials of Victim
12	May 6, 2020	D.H.
13	May 9, 2020	J.C.
14	May 10, 2020	S.S.
15	May 11, 2020	M.H.
16	May 11, 2020	T.G.
17	May 17, 2020	J.S.

All in violation of Title 18, United States Code, Section 1028A(a)(1) and 2.

FORFEITURE ALLEGATION

The allegations contained in Counts 1–11 of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeiture. Upon conviction of any of the offenses alleged in Counts 1–11 of this Indictment, defendants FATIU ISMAILA LAWAL and SAKIRU OLANREWaju AMBALI, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), by way of Title 28, United States Code, Section 2461(c), any property that constitutes or is traceable to proceeds of the offense. This property includes, but is not limited to, a sum of money reflecting the proceeds the defendant obtained from the offense.

Substitute Assets. If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or,
- e. has been commingled with other property which cannot be divided without difficulty,

it is the intent of the United States to seek the forfeiture of any other property of the

1 defendants, up to the value of the above-described forfeitable property, pursuant to Title
2 21, United States Code, Section 853(p).

3 A TRUE BILL:

4 DATED:

5 *January 25, 2023*
6 *[Signature of Foreperson redacted pursuant*
7 *to the policy of the Judicial Conference of*
8 *the United States]*

9 _____
10 FOREPERSON

11 
12 _____
13 NICHOLAS W. BROWN
14 United States Attorney

15 
16 _____
17 ANDREW C. FRIEDMAN
18 Assistant United States Attorney

19 
20 _____
21 CINDY CHANG
22 Assistant United States Attorney

23 
24 _____
25 SETH WILKINSON
26 Assistant United States Attorney
27